

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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KEVIN P. SMITH,

Plaintiff,

Case # 19-CV-1354-FPG

v.

DECISION AND ORDER

NEW YORK CENTRAL MUTUAL, et al.,

Defendants.

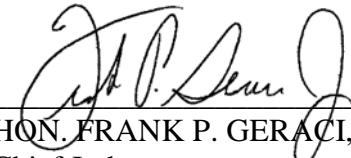
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On October 3, 2019, *pro se* Plaintiff Kevin P. Smith filed a complaint against dozens of seemingly unrelated defendants. ECF No. 1. For example, he sues Governor Andrew Cuomo, Home Depot, the Red Roof Inn, Sherwin Williams, and the Dallas Cowboys. His allegations are indecipherable. On its face, the complaint fails to disclose a viable cause of action or a basis for subject matter jurisdiction. *Sua sponte* dismissal is therefore appropriate. *See, e.g., Scotto v. Computershare*, No. 19-CV-2403, 2019 WL 6328142, at \*2 (E.D.N.Y. Nov. 25, 2019) (collecting cases). Furthermore, given the content of Plaintiff's filings in this case, *see* ECF Nos. 1, 4, 5, there are no grounds to believe that amendment would be anything but futile.

Accordingly, Plaintiff's complaint (ECF No. 1) is DISMISSED WITH PREJUDICE. The pending motions (ECF Nos. 5, 6) are DENIED AS MOOT. The Clerk of Court is directed to enter judgment and close this case.

IT IS SO ORDERED.

Dated: November 27, 2019  
Rochester, New York

  
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HON. FRANK P. GERACI, JR.  
Chief Judge  
United States District Court